IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3282 of 2007()

Crime No.129/07 of Kumbala Police Station

: APPLICANTS/ACCUSED

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1. KUNHIRAMAN, AGED 37 YEARS, S/O.AMBU,
   PALLATE HOUSE, PERIYA VILLAGE AND POST,
   HOSDURG TALUK, KASARAGOD DISTRICT.

2. VELLACHI, AGED 60 YEARS, W/O.AMBU,
   PALATTE HOUSE, PERIYA VILLAGE AND POST,
   HOSDURG TALUK, KASARAGOD DISTRICT.

3. SHYAMALA, AGED 30 YEARS, D/O.AMBU,
   PALATTE HOUSE, PERIYA VILLAGE AND POST,
   HOSDURG TALUK, KASARAGOD DISTRICT.

4. SANJEEVAN, AGED 22 YEARS,
   S/O.MADHAVI, PALATTE HOUSE,
   PERIYA VILLAGE AND POST,
   HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM
REPRESENTING S.H.O KUMBALA POLICE STATION.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3282 OF 2007 A

Dated this the 4th day of June, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are the husband, mother-in-law, sister-in-law and brother-in-law of one Savitha, the defacto complainant, seek anticipatory bail. The marriage between the 1st petitioner and Savitha was on 10.4.1998.

2. Learned Public Prosecutor, on instructions, submitted that the petitioners 2 to 4 are not accused in the case and that the 1st petitioner is the sole accused in Crime No.129/07 of Kumbala Police Station for an offence punishable under section 498A IPC. Hence, the apprehension of arrest and harassment entertained by petitioners 2 to 4 is unfounded.

3. Having regard to the nature of the allegations levelled against the sole accused (1st petitioner) and the other circumstances of the case, I am inclined to grant anticipatory bail to the sole accused. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the sole accused(1st petitioner) on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the

satisfaction to the said officer and subject to the following conditions:

a. 1st petitioner(sole accused) shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. 1st petitioner(sole accused) shall make himself available for interrogation as and when required by the Investigating Officer.

c. 1st petitioner(sole accused) shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. 1st petitioner(sole accused) shall not commit any offence while on bail.

e. 1st petitioner (sole accused) shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the 1st petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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